

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SARA RANA	§
<i>Plaintiff,</i>	§
	§
v.	§
	§
UT SOUTHWESTERN MEDICAL	§
CENTER	§ (JURY DEMANDED)
	§
<i>Defendant</i>	§

**PLAINTIFF'S ORIGINAL COMPLAINT, APPLICATION FOR A
TEMPORARY RESTRAINING ORDER, TEMPORARY INJUNCTION,
PERMANENT INJUNCTION**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES SARA RANA, Plaintiff, by and through her counsel of record, Christopher Tritico and Ron Rainey, Tritico Rainey, PLLC and Giana Ortiz, The Ortiz Law Firm, complaining of UT SOUTHWESTERN MEDICAL CENTER and files this Original Complaint and Jury Demand.

**I.
SUMMARY**

1. Plaintiff Sara Rana is a current student at Defendant UT Southwestern Medical Center. Ms. Rana has completed the first two years of Defendant's curriculum and has passed every course she has taken. UT Southwestern has instituted an arbitrary policy that its students sit and pass the Step 1 exam at the end of the second year although, the National Board of Medical Examiners, the Texas

Health and Occupations Code and the Texas Board of Medical Examiners have no such timing requirement. Ms. Rana is not only a student at UT Southwestern, she is and has been under the care of Defendant's faculty and staff for mental health problems that began as early as 2018.

2. In March of 2020, Ms. Rana was studying to sit for the Step 1 exam. However, due to the pandemic, the Step 1 exam was postponed. Ms. Rana was rescheduled to take the exam in July of 2020.

3. As the exam approached and the pressure mounted, Ms. Rana's mental health deteriorated. In July of 2020, Ms. Rana was denied requested accommodations pursuant to the Americans With Disabilities Act and section 504 of the Rehabilitation Act. Defendant forced Ms. Rana to sit for the exam while she was being treated for mental health disorders in a clinical setting even though the deadline is arbitrary and unrelated to the school's curriculum. As you can imagine, Ms. Rana failed the exam and the decline in her mental health continued.

4. After UT Southwestern directed Ms. Rana to take the test, against the advice of its own clinical staff who recommended reasonable accommodations, it ultimately granted Ms. Rana medical leaves of absence. However, each medical leave of absence only applied to the medical school curriculum and each leave of absence required her to prepare for and sit for the Step 1 test while on medical leave. UT Southwestern directed Ms. Rana to prepare for and take the Step 1 exam even

though UT Southwestern acknowledged Ms. Rana was disabled due to her current mental health. While UT Southwestern appeared to provide a reasonable accommodation on paper, UT Southwestern actually denied Ms. Rana any accommodation. The failure to extend the arbitrary deadline regarding the Step 1 exam caused Ms. Rana to suffer undue pressure and harm. UT Southwestern continued to deny Ms. Rana the reasonable accommodation by forcing her to study for the Step 1 exam each time it extended her medical leave.

5. In March of 2021, UT Southwestern refused to provide Ms. Rana with reasonable accommodations as it completely denied her request for an extension of her medical leave, an extension of the arbitrary Step 1 exam deadline and a request to allow her to retake the second year of medical school. This treatment is disparate as to Ms. Rana as other students have been allowed these and other reasonable accommodations. Furthermore, UT Southwestern discriminated against Ms. Rana based solely on her disability and in violation of the Americans With Disabilities Act and section 504 of the Rehabilitation Act.

6. UT Southwestern has denied Ms. Rana's accommodations contending the Step 1 test must be completed within its own arbitrary deadline of one year from the last date of the preparation period which is set by UT Southwestern alone. UT Southwestern has held fast to this arbitrary deadline and will not consider the time for which Ms. Rana was on medical leave, the four months the Step 1 test was

delayed due to the Covid-19 pandemic, nor the period of time Ms. Rana was not receiving the proper medication.

7. At this time, Ms. Rana is attending a Step 1 preparation course and is scheduled to take the Step 1 test on June 29, 2021.

8. Even though Ms. Rana was physically unable to take the Step 1 exam due to her disability, the UT Southwestern Student Promotions Committee is set to consider Ms. Rana's status as a student on April 14, 2021. Should the Student Promotions Committee dismiss Ms. Rana from UT Southwestern, she will be ineligible to sit for the Step 1 Exam on June 29, 2021 and her chances at being accepted into another medical program small and any chance at a career in medicine is in all practicality over.

9. Ms. Rana has filed this action not only seeking damages for UT Southwestern's clear violation of both the Americans With Disabilities Act and section 504 of the Rehabilitation Act, but also enjoining UT Southwestern from taking any action with regard to Ms. Rana's status as a student until the disability may be lifted and/or after Ms. Rana has had the opportunity to take the Step 1 exam on June 29, 2021 and Step 1 grades have been calculated and distributed.

II.
PARTIES

10. Plaintiff Sara Rana is an individual residing in Dallas County, Texas. Plaintiff is a second-year medical student at the University of Texas Southwestern Medical Center.

11. Defendant University of Texas Southwestern Medical Center (“UT Southwestern”) is created under the authority of the Texas Legislature and is a component institution of the University of Texas System. Defendant UT Southwestern is under the management and control of the board of regents of the University of Texas System. TEX. EDUC. CODE § 74.101 *et seq.* UT Southwestern is authorized to receive federal funds and does in fact receive federal funds. TEX. EDUC. CODE § 74.103. UT Southwestern is located in Dallas County, Texas at 5323 Harry Hines Boulevard, Dallas, Texas 75390. and may be served with process by serving its chief executive officer, the Chancellor of the University of Texas, James B. Milliken at his office located at 210 West 7th Street, Austin, Texas 78701 or wherever he may be found. Plaintiff also seeks service on the President of UT Southwestern, Daniel K. Podolsky, M.D. at his office located at 5323 Harry Hines Boulevard, Dallas, Texas 75390 or wherever he may be found. Furthermore, Plaintiff requests service on Ken Paxton, Attorney General of Texas at his office located at 209 West 14th Street, 8th Floor, Austin, Texas 78701 or wherever he may be found. Citations are requested at this time.

III.
JURISDICTION AND VENUE

12. This court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 as the present suit invokes federal question jurisdiction pursuant to 42 U.S.C. § 12132-34 of the Americans with Disabilities Act and section 504 of the Rehabilitation Act of 1973.

13. Pursuant to the foregoing jurisdiction, venue is proper for the prosecution of this action in the United States District Court for the Northern District of Texas. The acts and events made the basis of the present complaint occurred within Dallas county, Texas.

IV.
FACTS¹

The United States Medical Licensing Examination

A. *State Statutory Requirements.*

14. The Texas legislature has enacted parameters limiting those who may practice medicine within the state of Texas. One such requirement is passing an approved examination. Section 155.051 of the Tex. Occ. Code provides “an applicant for a license to practice medicine in this state must pass each part of an examination described by Section 155.0511(2), (3), (4), (6), or (7) within seven

¹ Please see Plaintiff’s Affidavit in support of the following facts. A true and correct copy is attached hereto as “Exhibit A.”

years.”² Subsection 155.0511(7) specifically provides passing the United States Medical Licensing Examination (“USMLE”) satisfies the requirements of Section 115.051.³

15. The tests delineated within Section 155.0511 contain parts or steps. Section 155.056(a) provides “an applicant must pass each part of an examination within three attempts.”⁴

B. *The Texas Board of Medical Examiners.*

16. The Texas Board of Medical Examiners, as authorized by the Legislature, adopts rules and bylaws to govern its proceedings, perform its duties, and regulate the practice of medicine in Texas. *See Tex. Occ. Code § 153.001.*⁵ The Board of Medical Examiners has set restrictions on the time within which a person has to pass the three Steps of the USLME and the number of times a person may sit for the USMLE. Pursuant to 22 Tex. Admin. Code § 163.6(b)(1), “An applicant must pass each part of an examination listed in subsection (a) of this section within three attempts.”⁶ 22 Tex. Admin. Code § 163.6(c)(1) reiterates the applicant has 7 years within which to pass all parts of the USMLE.⁷

² See Exhibit 1

³ See Exhibit 2

⁴ See Exhibit 3.

⁵ See Exhibit 4.

⁶ See Exhibit 5.

⁷ See Exhibit 5.

C. *United States Medical Licensing Examination (“USMLE”).*

17. The United States Medical Licensing Examination is co-sponsored by the Federation of State Medical Boards and the National Board of Medical Examiners. Licensing authorities across the United States rely upon the USMLE to help evaluate the qualifications of individuals seeking an initial license to practice medicine.⁸ The USMLE is a three "Step" exam.⁹ Candidates who have passed all components of the USMLE may apply for a license to practice medicine in the United States and its territories.

18. Step 1 is a multiple-choice test designed to measure basic science knowledge. Most of the questions require the examinee to interpret graphic and tabular material, to identify gross and microscopic pathologic and normal specimens, and to solve problems through application of basic science principles. The grading of the Step 1 exam is a numerical grade.

19. Step two consists of two parts. Step 2 CK assesses an examinee's ability to apply medical knowledge, skills, and understanding of clinical science essential for the provision of patient care under supervision and includes emphasis on health promotion and disease prevention. Step 2 CS uses standardized patients to test

⁸ See Exhibit 6.

⁹ See Exhibit 6.

medical students and graduates on their ability to gather information from patients, perform physical examinations, and communicate their findings to patients and colleagues.

20. Step 3 assesses the ability of a student to apply medical knowledge and understanding of biomedical and clinical science essential for the unsupervised practice of medicine, with emphasis on patient management in ambulatory settings. The test reflects the clinical situations that a general, as-yet undifferentiated, physician might encounter within the context of a specific setting.

21. The USMLE provides restrictions on the time within which a student must pass the various Steps of the USMLE and the number of attempts a student has to pass each individual step. The USMLE provides:

1. “You are ineligible to take a Step or Step Component if you have made six or more prior attempts to pass that Step or Step Component, including incomplete attempts.”¹⁰
2. “. . . Step 1 and Step 2 can be taken in any order. . . .”¹¹
3. “Most medical licensing authorities require completion of USMLE Steps 1, 2, and 3 within a seven-year period, which begins when you pass your first Step.”¹²
4. “You may take the same examination no more than three times within a 12-month period. Your fourth and subsequent attempts must be at least 12 months after your first attempt

¹⁰ See Exhibit 7.

¹¹ See Exhibit 7

¹² See Exhibit 7

at that exam and at least six months after your most recent attempt at that exam.¹³

22. Additionally, a medical student is not eligible to sit for the USMLE if the student is dismissed or withdraws from medical school.

If you are dismissed or withdraw(n) from medical school, you are not eligible for the USMLE, *even if you are appealing the school's decision to dismiss you or are otherwise contesting your status.*¹⁴ (Emphasis added).

23. The USMLE announced, beginning in January of 2022, the grading of the Step 1 exam will be changed from a numerical grade system to a pass/fail grade. The USMLE found students put so much emphasis on getting a high USMLE Step 1 score, they often skimmed the medical school curriculum that they deemed to be not as relevant in order to get the maximum score on the USMLE Step 1.¹⁵ Another motivating factor behind making this change was due to fears over the mental health of students. According to Humayun Chaudhry, DO, MACP, President and CEO of the FSMB, the new policies will “address concerns about Step 1 scores impacting student well-being and medical education.”¹⁶

24. The Board identified the primary purpose of issuing numerical grades for the USMLE as:

¹³ See Exhibit 7

¹⁴ See Exhibit 8.

¹⁵ See Exhibit 9.

¹⁶ See Exhibit 9.

Primary Purpose An examinee's USMLE scores are reported to medical licensing authorities for their use in the decision to grant a provisional license to practice in a post-graduate training program and the decision to grant an initial license for the independent practice of medicine. This is the *primary intended purpose of USMLE scores*.¹⁷

25. The Board expressed that the USMLE has grown to be used for a secondary purpose for which it was not designed.

Secondary Purposes Trends in medical education have increased examinee efforts to maximize their USMLE performance as demonstrated through the numeric score. These trends include limited residency training slots, particularly in certain specialties, as well as medical schools' adoption of pass/fail grading for foundational curricula. Because residency programs use USMLE scores as a means to screen and select applicants, examinees strive to obtain the highest possible scores.

This use of the score is considered a *secondary* use of USMLE scores. USMLE was not designed for these purposes and the program did not envision the markedly increased reliance on numeric scores in graduate medical education. Program directors acknowledge the limitations of using USMLE scores for residency selection, but justify the practice given USMLE's position as a nationally standardized measure of knowledge and skills and as the only common metric by which to evaluate all applicants.

Medical Schools This emphasis on maximizing USMLE scores has led medical school students to the perception of a "parallel curriculum" to the curriculum of their medical schools. Students engage in their school's curriculum while simultaneously preparing for what is perceived to be "other material" important for achieving high scores on the USMLE assessments.

¹⁷ See Exhibit 6.

In addition, medical school faculty and staff have noted potentially negative effects of preparation for high-stakes testing on student well-being.¹⁸

D. UT Southwestern

26. UT Southwestern requires passage of the USMLE for graduation. The Student Performance Committee adopted policies regarding the passage of the USMLE.

SPC Policy on Graduation Requirements of USMLE Passage

Passage of the USMLE Steps 1, 2 Clinical Skills (CS) and 2 Clinical Knowledge (CK) examinations is required for graduation from UT Southwestern Medical Center with a doctor of medicine degree. Although they can be taken in any order, there is a natural sequence to these examinations. In order to ensure the timely and successful completion of USMLE graduation requirements, all medical school students must adhere to this policy.

UT Southwestern is committed to supporting students' success in completion of the USMLE Step-examinations and acquisition of residency training. Based on careful analysis, an approach with earlier cumulative assessments and required demonstrated competency of knowledge in courses preceding the step examinations will enhance students' performance and overall achievement on the step examinations. The following requirements have been approved by the MEEC.

* * *

3. The Step I Prep course for all students will last 6 weeks. No more than one two-week extension will be

¹⁸ See Exhibit 6.

considered by the Step 1 Prep course director. Petitions for additional time must be made to the Student Promotions Committee.

4. Students must sit for the USMLE Step 1 during their scheduled Step 1 Preparation period. Students must sit for the USMLE Step 2 CK exam by the last date of period 3 of their post-clerkship year. Students must sit for the USM LE Step 2 CS exam by the last date of period 3 of their post-clerkship year.
5. Students who fail the USMLE Step I exam, USMLE Step 2CK, or USMLE Step 2 CS exam must meet with an Associate Dean for Student Affairs within two weeks of receipt of the test results to develop a schedule and plan to retake and pass the exam.
 - a. Under most circumstances, the student will be allowed to complete the clerkship in which the student is currently enrolled but will then be removed from participation in future clerkships/rotations until the student registers and sits for the failed USMLE exam again. Should a student fail the exam a second time, they will be removed from coursework and reviewed by the Student Promotions Committee. The student will not return to the curriculum until they receive a passing score (with the exception of CS).
 - b. Options for students during the period when they are removed from participation are to enroll in an independent study program (ISP) or apply for a leave of absence pursuant to UT Southwestern policies (*e.g.* EDU-120 Non-medical Leaves of Absence or EDU-103 Learners with Disabilities).
 - c. During an approved LOA the student is responsible for regularly (at least monthly)

communicating with the Associate Deans for Student Affairs regarding exam preparation, study progress, practice test scores, and plans to register and sit for the failed exam. Failure to communicate with the Associate Deans for Student Affairs or to timely register or sit for the failed exam again may result in review by the SPC and possible additional action, up to and including dismissal.

6. A passing score for USMLE Step I and Step 2 CS and CK must be received in the Office of Enrollment Services prior to the date of graduation in order for a student to participate in the graduation ceremony.

7. Any of the following will result in immediate review by the SPC and possible action, up to and including dismissal:

- a. A student fails to sit for any USMLE exam by their deadline;
- b. A student is unable to pass any USMLE exam within 1 year (from the last date of their scheduled test prep period for USMLE Step I);
- c. A student is unable to pass any USMLE exam in 2 attempts; or,
- d. A student will be unable to graduate because USMLE requirements were not met.

8. Students seeking modification of the requirements in this policy due to medical condition or disability must submit a request for accommodation in accordance with EDU-103 Learners with Disabilities as soon as the student becomes aware modification is needed.

9. Students seeking modification of the requirements in this policy for reasons unrelated to a medical condition or disability may submit a written request to the Associate Dean of Student Affairs. The Associate Dean may give written approval to modify the requirements in this policy if the Associate Dean determines there are extreme extenuating circumstances.

10. Students whose USMLE requirements have been modified must have a passing score prior to the start of the next academic year or prior to return from an approved LOA in order to continue in the program. Failure to timely achieve a passing score will result in immediate review by the SPC for possible action, up to and including dismissal.¹⁹

Ms. Rana's Medical Condition and Accommodation

27. Ms. Rana was admitted to UT Southwestern Medical School in 2018.

Ms. Rana performed well in her first two years of medical school, passing all courses in the 2018-19 year and the 2019-20 academic year.²⁰

28. Although Ms. Rana performed well in her first two years, the pressure to perform was not without consequences. Since 2018 Ms. Rana had been under the care of UT Southwestern Medical Center psychiatrists Jessica Moore, M.D. and Elizabeth Dodge, M.D.²¹ As noted by Dr. Moore, "Since February 2020, she's had

¹⁹ See Exhibit 10.

²⁰ See Exhibit 11.

²¹ See Exhibit 12.

increasing impairments in working memory, perceptual reasoning, reading comprehension, and processing speed and likely decline in full scale-IQ.”²²

29. UT Southwestern scheduled Ms. Rana’s test prep period for the USMLE Step 1 exam to begin on January 27, 2020,²³ with an exam date of March 20, 2020.

30. In March, with the Covid-19 spreading across the country, testing facilities shut down.²⁴, ²⁵, ²⁶, ²⁷. Ms. Rana’s Step 1 exam was rescheduled for July 10, 2020.

31. On July 8, 2020, one day before a scheduled follow up with Dr. Dodge, UT Southwestern’s Student Performance Committee “met to review [Ms. Rana’s] status with respect to meeting the requirements on the Medical School’s USMLE policy.” The Committee held:

The Committee decided that you have already been provided ample extended time to prepare for the examination and did not feel there were sufficient grounds for further extending your USMLE deadlines. In order to meet USMLE policy requirements, you must sit for the examination, as scheduled, on July 10, 2020. Failure to do so may prompt additional review and action by the Committee, up to and including dismissal.²⁸

²² See Exhibit 12.

²³ See Exhibit 13.

²⁴ See Exhibit 14.

²⁵ See Exhibit 15.

²⁶ See Exhibit 16.

²⁷ See Exhibit 17.

²⁸ See Exhibit 18.

32. On July 9, 2020, at a follow up visit with Ms. Rana, Dr. Dodge notes Ms. Rana reported anxiety, excessive worry, restlessness, easily fatigued, difficulty concentrating, muscle tension and sleep disturbances. Dr. Dodge reports diagnosis of adjustment disorder with anxiety and concentration deficit. Dr. Dodge states she “will request a 4-6 week schedule accommodation for Sara to postpone STEP 1 test.”²⁹

33. On July 9, 2020, UT Southwestern’s Academic Accommodations Advisory Committee (AAAC) met to discuss “Accommodations Due to Disability” for Ms. Rana. The AAAC issued a Memorandum providing:

UT Southwestern has reviewed your Formal Request of Accommodations Due to Disability, along with the supporting documentation from your Health Care Professional. Pursuant to EDU-103 Reasonable Accommodations for Qualified Applicants and Learners with Disabilities, you have been approved to receive the following accommodation(s):

- You are approved for a deferral beginning July 9, 2020 through July 26, 2020 to meet with your health care professional.
- You must sit for the USMLE Step 1 exam by July 26, 2020. It is your responsibility to register for the exam in order to satisfy this requirement. You must meet all USMLE requirements as stipulated by the Medical School’s USMLE policy.

* * *

²⁹ See Exhibit 19.

- You must undergo neuropsychological testing recommended by your health care provider.³⁰

34. The AAAC clearly states “UT Southwestern has reviewed your Formal Request of Accommodations Due to Disability, *along with the supporting documentation from your Health Care Professional.*” Apparently the AAAC, during the review of Ms. Rana’s medical records, missed Dr. Dodge’s recommendation of a 4-6 week schedule accommodation for Sara to postpone STEP 1 test.” Instead, the AAAC provided Ms. Rana a 2 week and 2-day extension. The effect of the AAAC’s directive was to give Ms. Rana an extension due to a disability but also *require* that Ms. Rana study and sit for the Step 1 exam while suffering from that disability during the accommodation period. The effect was no accommodation. The outcome should have been obvious to the AAAC.

35. On July 26, 2020, as ordered by the AAAC, Ms. Rana sat for the Step 1 exam. Of course, she failed. AAAC’s directive that Ms. Rana sit for the Step 1 exam on July 26, 2020 and the negative impact that decision had on Ms. Rana’s health was clearly foreseeable. Her condition deteriorated.

36. At her next visit with Dr. Dodge on August 18, 2020, Ms. Rana was accompanied by her father and mother.³¹ Mr. Rana reported that Ms. Rana’s “level of anxiety is much higher than previously reported” by Ms. Rana. “She cried all day

³⁰ See Exhibit 20.

³¹ See Exhibit 21.

the days leading up to the exam and the day of the exam she cried throughout it and ‘felt terrible.’ She reports trouble focusing, being overwhelmed with negative thoughts as soon as she sits down take a test like ‘I don’t know any of this’ and then ‘my mind goes blank.’” Dr. Dodge diagnosed Ms. Rana with adjustment disorder with anxiety and attention and concentration deficit.

37. On August 31, 2020, the AAAC met again to consider accommodations due to disability for Ms. Rana.

UT Southwestern has reviewed your Formal Request of Accommodations Due to Disability, along with the supporting documentation from your Health Care Professional. In accordance with EDU-103 Learners with Disabilities, the accommodations described below have been approved:

1. You will be placed on an approved Leave of Medical Absence from UT Southwestern Medical School beginning August 31, 2020 for a period of three months (3) ending December 11, 2020 This leave of absence will result in an extension of your training. . . .

* * *

2. Prior to your return to the program, you must do the following:

* * *

- f. You must sit for USMLE Step 1 exam by November 11, 2020. . . . You must have a passing score before you may return to the program.³²

* * *

³² See Exhibit 22.

38. Although the AAAC recognized Ms. Rana needed a longer leave of absence, the effect of the AAAC's directive was to give Ms. Rana an extension due to a disability but then, in the same breath, **require** that Ms. Rana study and sit for the Step 1 exam a second time while suffering from that disability. Ms. Rana was facing not only studying and taking the Step 1 while suffering from a disability but shouldering the additional pressure of the possibility of dismissal should she fail the Step 1 exam a second time. Again, in effect, no accommodation.

39. Ms. Rana's condition continued to deteriorate and on September 23, 2020 Dr. Moore reported:

ADHD; Inattention to detail/careless mistakes, Difficulty remaining on task, Trouble listening, unorganized and Avoids/dislikes tasks that require mental effort. However denies symptoms in childhood.

Psychosis: Aside for attention focus, cognitive concerns noted above that have worsened over the last year denies other symptoms. She does report some paranoia about her friends wanting to date her ex-boyfriend, identifies that it feels excessive. Denies AH or other delusions.³³

40. On a follow up visit a week later, September 30, 2020, Dr. Moore noted:

I continue to be concerned Sara's poor attention and focus may be due to developing a psychotic illness. . . . She exhibited some ruminations and switched the topic today, interrupted a few times and did not appear well groomed,

³³ See Exhibit 23.

although not out of the ordinary for someone studying at home.

On last Monday I spoke with Sara's father . . . to convey my concern about her attention and focus not being congruent with what we would expect from an anxiety diagnosis and possibly indicated another problem I emphasized the importance of neuropsych testing to better understand her thinking and processing. . . .³⁴

41. On October 13, 2020, at a follow up visit Dr. Dodge noted:

Psychosis: inappropriate effect and moving from topic to topic in tangential manner, smiling at inappropriate times, superficial responses to questions, minimal insight into situation.

* * *

Although pt and parents report no signs or symptoms other than mild anxiety It is clear Sara has functional deficits and not improving with Lexapro. . . .

My concern is for primary psychotic illness. . . .

Possible recommendation of transfer of care to early stage psychosis clinic once neuropsych testing is completed.³⁵

42. On November 3, 2020, Dr. Dodge reports:

She reports the following symptoms: Psychosis: delusions: People talking behind her back, tweeting about her (possibly true) and hiring lawyers to address her texts to their children (parents deny this).

In session today, Sara reports 'every single person in my class knows about what is going on with me and no one asked

³⁴ See Exhibit 24.

³⁵ See Exhibit 25.

my permission.' She reports she told a friend that she was having thoughts about dying and that friend told everyone including my ex boyfriend and his parents called a lawyer and then called my dad. She also reports 'there's another psychiatrist monitoring me' but says she has not met with this person nor knows his name.'³⁶

43. On November 6, 2020, the AAAC approved another disability accommodation.

UT Southwestern has reviewed your Formal Request of Accommodations Due to Disability, along with the supporting documentation from your Health Care Professional. In accordance with EDU-103 Learners with Disabilities, the accommodations described below have been approved:

1. . . . You have been approved for an extension of an additional 3 months beginning December 12, 2020 through March 20, 2020.

* * *

2. Prior to your return to the program, you must do the following:

* * *

- f. You must sit for USMLE step 1 exam by February 26, 2021. . . . You must have a passing score before you return to the program. You must meet all USMLE requirements as stipulated by the Medical School's USMLE policy.³⁷

44. Once again, UT Southwestern acknowledged Ms. Rana's disability but required that she have a passing score on the USLME before she returned.

³⁶ See Exhibit 26.

³⁷ See Exhibit 27.

45. On November 11, 2020, Ms. Rana had a follow up visit with Dr. Moore.

Dr. Moore noted:

... She reports anxiety about peers saying that she's 'a gay black man' and has an abusive father. She indicates that she doesn't actually have proof that people are saying these things, Parents say they don't think these are true. A title IX email went out the whole school and she felt it was directed towards her or about her. There are instances of her thinking that yahoo ads are about her and specifically targeting her. She feels there are widespread rumors about her not passing STEP exam. She's sending mom emails about pregnancy and denying that she's gay. She asked me several questions about whether she should be concerned because she notices mom talking to herself.

She reports an uncle told her she has psychosis and she's starting to realize that she may have some paranoia. . . .

She's still struggling w/organizing her thoughts. Her focus and concentration remain impaired. She's struggling studying for the STEP exam.

* * *

She has significant anxiety surrounding the STEP exam. . . .

* * *

. . . I had frank discussion w/family that I was concerned about a primary psychotic disorder, in particular schizophrenia given her neuropsych testing, neurology workup, course and presentation. I recommended the HOPE clinic to which they were agreeable. At times, they were focused on her STEP exam and school. I emphasized the importance of focusing on treatment and early intervention.³⁸

46. On November 17, 2020, Dr. Moore wrote to the AAAC:

Sara Rana . . . has been a patient of mine at UTSW Student Wellness and Counseling Clinic since 2018. . . . She initially

³⁸ See Exhibit 28.

presented to the Student Wellness and Counseling Clinic with concerns of anxiety. Over the last 8 months she's had increasing impairments in working memory, perceptual reasoning, reading comprehension, and processing speed and likely decline in full scale-IQ. It's also become increasingly clear over this time, that Ms. Rana is experiencing paranoid delusions, ideas of reference, and disorganized thought process. She's had significant impairments in self-care, sleep, ability to manage her own health care, and social impairments. She's also experience impairment in academic functioning necessitating a leave of absence from medical school.³⁹

47. On November 18, 2020, in a follow up visit, Dr. Moore reported:

She reports being scared of her dad, despite her typically thinking of him as being loved and kind. She feels that Dr. Silver may have leaked personal information about her to friends. She says that dad and uncle are being questioned by the White House. She says this is based on news articles she saw. She feels that best friend is married to her ex-boyfriend (not the case) and her mom is getting re-married. She saw a picture on TV about going to the Navy, now thinking she is going to be forced to join the Navy. She's seen several ads on yahoo that she feels are meant directly for her. She fears she will be kicked out of medical school because of actions of others (dad's behavior). She reports fears that Joe Biden is going to give her specifically COVID-19. She does not feel she can trust anyone, and wonders if I will leak all of her information to the general public, It's notable she's having more difficulty w/organizing thoughts than previous visit.

* * *

She's not sleeping well, only 30 minutes at a time. She's getting up in the middle of the night, to write emails to herself regarding anxious or paranoid thoughts.

* * *

³⁹ See Exhibit 29.

She's not been able to study for the STEP exam.

* * *

Diagnosis

Psychosis, unspecified psychosis type (*) (primary encounter diagnosis)

I am most concerned about schizophrenia, given cognitive decline, increasing thought disorganization, paranoia, ideas of reference. I discussed w/ prior providers again today, she's not ever had a clear episode in which she met criteria for a major depressive episode or manic episode to suggest mood disorder w/ psychotic features.⁴⁰

48. In November of 2020, Ms. Rana transferred her care to Ahmad Raza, M.D., Ph.D. Dr. Raza is a Faculty Professor in the Department of Psychiatry at UT Southwestern. He specializes in refractory depression, obsessive compulsive disorder, neurostimulation and psychopharmacology. He has been involved in teaching and training medical students, residents, and psychiatrists for 25 years.

49. Dr. Raza first saw Ms. Rana on November 19, 2020. He noted stress led to increased anxiety followed by depression. Ms. Rana reported ruminating, anxious, unable to control worry, poor sleep, frequent nightmares, panic attacks, and feeling sad with crying spells.

Patient now also reports that someone in Fort Worth reported her parents for child abuse. She also states that she looked up herself online and found out that she was a convicted felon. She also reports feeling paranoid that others are out to get her including people on social media. She went on to say "my dad's brother convicted me as a felon". "Everybody thinks I have coronavirus" and that they are "making a bet" on her. She reports that she is being observed, her story is being

⁴⁰ See Exhibit 30.

"told" including on the TV and by news media. However she repeatedly stated "may be there are illogical ideas", maybe it is all in my head". She also states that She denies any auditory or visual hallucinations. While describing the psychotic symptoms patient was bewildered, repeatedly stated "I do not know if this is true". She is able to doubt the reality basis or validity of these thoughts when confronted.⁴¹

50. Dr. Raza's impression was that Ms. Rana condition was "more likely to be a mood disorder with psychotic features rather than a primary psychotic disorder." Dr. Raza's Working Diagnosis was "Major depressive disorder, single episode, severe with psychotic features." In short, Dr. Raza found Ms. Rana had been misdiagnosed. Dr. Raza began administering appropriate medication.

51. On November 20, 2020, Dr. Barker wrote approving the extension provided on the November 6th Accommodation and updated the accommodation: "Updated terms required for leave: She must have a passing score returned on Step 1 prior to her last day of leave above."⁴²

52. In a follow up visit on December 2, 2020, Dr. Raza reported:

She also reports significant anxiety with the primary focus being her future, reactions of her colleagues and her extended social circle to her psychiatric challenges. Patient continues to display significant psychotic symptoms although according to her father these are less frequent and overall less distressing. There have been some days when these were significantly attenuated. She reports that she thought that "emails and adds were talking to her" for the past few months and states that "I could not make it out that that there were

⁴¹ See Exhibit 31.

⁴² See Exhibit 32.

real or not". When probed further she believes that the likely her is that there were real. She also accuses others of calling her father "a racist white dog" although she denies any auditory or visual hallucinations. She is less worried about her being listed on the Internet as a felon. She states that as a result of events of last few months she is thinking of changing her name and becoming " Mediterranean".

Parents report that patient has an imaginary Jewish friend by the name of Jack who she thinks will convert to Islam to marry her. In order to meet him she booked a hotel in New York for 4 days.

Father also reports obsessive journaling with disorganized and psychotic content.⁴³

53. On December 17, 2020, Dr. Raza reported:

Patient continues to show gradual and progressive improvement in mood, anxiety and psychotic symptoms although she is not in full symptomatic remission.

In the past week there have been no psychotic symptoms, patient displays improved insight into the lack of reality basis of her previous psychosis. She continues to make occasional odd statements, but these are infrequent. She continues to engage in journaling with some evidence of psychosis in her writing in terms of structure and content. She continues to fantasize and ruminate about marrying different people without any obvious connection to them. There is significant improvement in depressive and anxiety symptoms as well as sleep. . . .

* * *

Patient remains engaged in PHP, is performing well in the program based on my discussions with the program director. She plans to transition to IOP at Carrollton Springs followed by return to work IOP.

Patient will also start individual psychotherapy with Dr. Wendy Ringe in January.⁴⁴

⁴³ See Exhibit 33.

⁴⁴ See Exhibit 34.